

BRAULIO L. BAEZ
CHAIRMAN

STATE OF FLORIDA

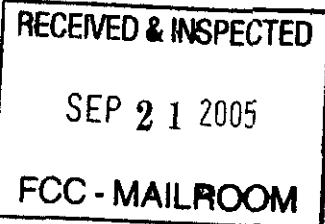


CAPITAL CIRCLE OFFICE CENTER
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(850) 413-6042

Public Service Commission

September 15, 2005

Honorable Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554



Re: CC Docket No. 96-45 - Certification pursuant to 47 C.F.R. §54.314

Dear Secretary Dortch:

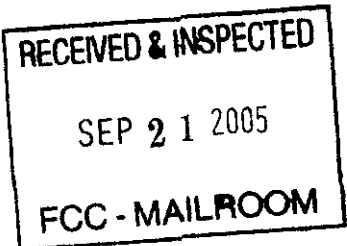
Pursuant to the requirements of 47 C.F.R. §54.314, the Florida Public Service Commission (FPSC) hereby certifies to the Federal Communications Commission that all federal high-cost funds flowing to Florida rural carriers for the year commencing January 1, 2006, and ending December 31, 2006, will be utilized in a manner consistent with §254(e) of the Telecommunications Act of 1996. The Florida rural carriers (and associated study area ID codes) hereby certified are: ALLTEL Florida, Inc. (210336); Frontier Communications of the South, Inc. (210318); TDS Telecom (210338); Smart City Telecom (210330); Northeast Florida Telephone Company, Inc., d/b/a NEFCOM Communications (210335); ITS Telecommunications Systems, Inc. (210331); and GTC, Inc. (210291, 210329, & 210339). As required by §254(e), these companies will only utilize the federal high-cost support for which they are eligible in the year 2006 for the provision, maintenance and upgrading of facilities and services for which support is intended.

The representations and certifications provided are a result of the Commission's proceedings in Docket No. 010977-TL. A copy of the FPSC's order certifying these companies for the year 2006 is enclosed.

Sincerely,
A handwritten signature in black ink, appearing to read "Braulio L. Baez".
Braulio L. Baez
Chairman

Enclosure

No. of Copies rec'd 0
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BEFORE THE PUBLIC SERVICE COMMISSION

In re: State certification of rural telecommunications carriers pursuant to 47 C.F.R. 54.314. | DOCKET NO. 010977-TL
ORDER NO. PSC-05-0824-FOF-TL
ISSUED: August 15, 2005

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
LISA POLAK EDGAR

FINAL ORDER REGARDING
RURAL LOCAL EXCHANGE COMPANY CERTIFICATION
AND REPORTING REQUIREMENTS

BY THE COMMISSION:

I. Case Background

Section 254(e) of the Telecommunications Act of 1996 provides that a carrier that receives universal service support "...shall use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended." In its Fourteenth Report and Order, Twenty-Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 00-256 (the Rural Task Force Order; hereafter, the RTF Order) the Federal Communications Commission (FCC) modified its rules pertaining to the provision of high-cost support for rural telephone companies. The FCC adopted a rule requiring that states who wish for rural carriers in their territory to receive federal high-cost support must file a certification annually with the FCC and with the Universal Service Administrative Company (USAC). This certification is to affirm that the federal high-cost funds flowing to rural carriers in the state, or to any competitive eligible telecommunications carriers seeking support for serving customers within a rural carrier's service area, will be used in a manner that comports with Section 254(e). The rule provisions are:

§54.314. State certification of support for rural carriers.

- (a) *State certification.* States that desire rural incumbent local exchange carriers and/or eligible telecommunications carriers serving lines in the service area of a rural incumbent local exchange carrier within their jurisdiction to receive support pursuant to §§54.30 (local switching support), 54.305 (sale or transfer of exchanges), and/or 54.307 (support to competitive ETC) of this part and/or part 36, subpart F of this chapter must file an annual certification with the Administrator and the Commission stating that all federal high-cost support provided to such

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FPSC-COMMISSION CLERK

carriers within that State will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. .

...

- (c) *Certification format.* A certification pursuant to this section may be filed in the form of a letter from the appropriate regulatory authority for the State, and shall be filed with both the Office of the Secretary of the Commission clearly referencing CC Docket No. 96-45, and with the Administrator of the high-cost universal service support mechanism, on or before the deadlines set forth below in subsection (d). . . .

The FCC requires that certifications for the next calendar funding year must be submitted by the preceding October 1; thus, in order for a rural carrier to be eligible for high-cost universal service support for all of calendar year 2006, certification must be submitted by October 1, 2005.

On a related note, on March 17, 2005, the FCC released Order No. FCC 05-46, establishing new annual certification and reporting requirements to comply with the conditions of ETC designation and to ensure universal service funds are used for their intended purposes. These additional requirements are also addressed herein.

This Order pertains to our certification of Florida's rural LECs for 2006.¹

II. Certification

Unless we submit certifications to the FCC and to USAC by October 1, 2005, Florida's rural carriers will receive no interstate high-cost universal service funds during the first quarter of 2006, and would forego all federal support if certification from this Commission is not eventually submitted. Other than Frontier, Florida's rural ETCs are under intrastate price regulation; thus, our regulatory oversight over their operations is somewhat limited. However, the FCC anticipated that certain state commissions may have restricted authority:

In the case of non-rural carriers, we concluded that states nonetheless may certify to the FCC that a non-rural carrier in the state had accounted to the state commission for its receipt of federal support, and that such support will be "used only for the provision, maintenance and upgrading of facilities and services for which the support is intended." We determined that, in states in which the state commission has limited jurisdiction over such carriers, the state need not initiate the certification process itself. . . . We conclude that this approach is equally appropriate here with regard to rural carriers and competitive eligible

¹ There is a companion FCC rule, §54.313, associated with state certification for non-rural carriers in order for them to receive high-cost model support or interim hold-harmless support.

telecommunications carriers serving lines in the service area of a rural local exchange carrier.

RTF Order, *supra*, at ¶188.

As has been done in prior years, each of the seven Florida rural ETCs has provided the Commission with an affidavit (see Attachments A through G) in which they have certified that their use of interstate high-cost universal service support received during 2006 will comport with Section 254(e) of the Act and applicable FCC rules. Given these ETC certifications, we hereby certify to the FCC and to the USAC that these ETCs will be using interstate high-cost universal service support in 2006 in a manner that complies with Section 254(e).

III. New Certification and Reporting Requirements

The FCC's rules currently require all ETCs to make an annual certification, on or before October 1, that high-cost universal service support will be used for its intended purposes.² By Order No. FCC 05-46, the FCC maintained and augmented this requirement. Every ETC designated by the FCC who desires high cost support must now submit the following information on an annual basis starting October 1, 2006:

- (1) progress reports on the ETC's five-year service quality improvement plan, including maps detailing progress towards meeting its plan targets, an explanation of how much universal service support was received and how the support was used to improve signal quality, coverage, or capacity; and an explanation regarding any network improvement targets that have not been fulfilled.³ The information should be submitted at the wire center level;
- (2) detailed information on any outage lasting at least 30 minutes, for any service area in which an ETC is designated for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect at least ten percent of the end users served in a designated service area, or that potentially affect a 911 special facility (as defined in subsection (e) of section 4.5 of the *Outage Reporting Order*).⁴ An outage is defined as a significant degradation in the ability of an end user to establish and maintain a channel of communications as a result of failure or degradation in the performance of a communications provider's network.⁵ Specifically, the ETC's annual report must include: (1) the date and time of onset of the outage; (2) a brief description of the outage

²47 C.F.R. §§ 54.313, 54.314.

³If an ETC had not previously submitted a network improvement plan to the Commission, it should do so with its first reporting compliance filing. An ETC that has not previously submitted a network improvement plan should include a description of improvements or upgrades it has made since the date of its initial designation.

⁴See *New Part 4 of the Commission's Rules Concerning Disruptions to Communications*, Report and Order and Further Notice of Proposed Rulemaking, 19 FCC Rcd 16830, 16923-24, § 4.5 (2004) (*Outage Reporting Order*).

⁵See *Outage Reporting Order*, 19 FCC Rcd at 16925, § 4.9.

and its resolution; (3) the particular services affected; (4) the geographic areas affected by the outage; (5) steps taken to prevent a similar situation in the future; and (6) the number of customers affected;⁶

- (3) the number of requests for service from potential customers within its service areas that were unfulfilled for the past year. The ETC must also detail how it attempted to provide service to those potential customers;
- (4) the number of complaints per 1,000 handsets or lines;
- (5) certification that the ETC is complying with applicable service quality standards and consumer protection rules;
- (6) certification that the ETC is able to function in emergency situations;⁷
- (7) certification that the ETC is offering a local usage plan comparable to that offered by the incumbent LEC in the relevant service areas; and
- (8) certification that the carrier acknowledges that the Commission may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the service area.

This newly required information will initially be due on October 1, 2006, and thereafter annually on October 1 of each year, at the same time as the carrier's certification that the universal service funds are being used consistent with the Act.⁸ The FCC believes that these reporting requirements are reasonable and consistent with the public interest and the Act, and will further the FCC's goal of ensuring that ETCs satisfy their obligation under Section 214(e) of the Act to provide supported services throughout their designated service areas.⁹ It believes that the administrative burden placed on carriers is outweighed by strengthening the requirements and certification guidelines to help ensure that high-cost support is used in the manner that it is intended, and will help prevent carriers from seeking ETC status for purposes

⁶The FCC did not adopt the threshold established in the *Outage Reporting Order* that, for an outage to be included in a report, it must potentially affect 900,000 user minutes of either telephony or associated data. See *Outage Reporting Order*, 19 FCC Rcd at 16925, § 4.9. In particular, the FCC apparently believes that a user minute threshold may be insufficient for the purpose of determining ETC functionality during emergency situations in designated service areas because populations can vary. As a result, the FCC instead requires that ETCs report any outages that potentially affect 10% or more of their customers in a designated service area. Unlike the *Outage Reporting Order*, however, the FCC requires these reports annually instead of shortly after the outage occurs.

⁷If an ETC had not previously submitted a plan demonstrating how it will remain functional in an emergency, it should do so with its first reporting compliance filing.

⁸See e.g., 47 C.F.R. § 54.313; 54.314.

⁹In addition, the FCC may institute an inquiry on its own motion to examine any ETC's records and documentation to ensure that the high-cost support it receives is being used "only for the provision, maintenance, and upgrading of facilities and services" in the areas where it is designated as an ETC. 47 U.S.C. §§ 220, 403; 47 C.F.R. §§ 54.313, 54.314.

unrelated to providing rural and high-cost consumers with access to affordable telecommunications and information services.¹⁰

In paragraphs 71 and 72 of Order FCC 05-46, the FCC suggests state commissions adopt these additional reporting requirements:

State commissions should apply the reporting requirements to all ETCs, not just competitive ETCs. In addition, state commissions may require the submission of any other information that they believe is necessary to ensure that ETCs are operating in accordance with applicable state and federal requirements. In doing so, states should conform these requirements with any similar conditions imposed on previously designated ETCs in order to avoid duplicative or inapplicable reporting requirements. Individual state commissions are uniquely qualified to determine what information is necessary to ensure that ETCs are complying with all applicable requirements, including state-specific ETC eligibility requirements.

If a review of the data submitted by an ETC indicates that the ETC is no longer in compliance with the Commission's criteria for ETC designation, the FCC may suspend support disbursements to that carrier or revoke the carrier's designation as an ETC. Likewise, as the Joint Board noted, state commissions possess the authority to rescind ETC designations for failure of an ETC to comply with the requirements of section 214(e) of the Act or any other conditions imposed by the state.

The new high cost annual certification and reporting requirements should prove helpful to our staff in monitoring Commission-designated ETCs to ensure that universal service funds are being used appropriately. Therefore, we hereby adopt the new high-cost annual certification and reporting requirements established in Order No. FCC 05-46 for all FPSC designated ETCs desiring high cost support. We do, however, clarify that, to the extent a Florida ETC believes that it has already submitted a report or information to us that would comply with the list above, it may certify in its annual letter which proceeding and on what date such report or information was provided to us, in lieu of resubmitting the required information.

IV. Conclusion

Pursuant to FCC Rule 54.314, state commissions must certify yearly that their rural LECs will use interstate high-cost universal service support in a manner that comports with Section 254(e) in order for the carriers to obtain high-cost support. We anticipate that in subsequent years, Florida's rural LECs will continue to seek interstate high-cost universal service support and will again submit affidavits to this Commission. Such affidavits must be received on a schedule that allows this Commission to issue an Order and, thereafter, forward a letter to the FCC and the USAC prior to October 1. Accordingly, this docket shall remain open to handle certifications for the coming year.

¹⁰See 47 U.S.C. § 254(b)(3).

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission, and we hereby certify that ALLTEL Florida, Inc., Frontier Communications of the South, Inc., GTC, Inc., ITS Telecommunications Systems, Inc., Northeast Florida Telephone Company, Inc., d/b/a NEFCOM Communications, TDS Telecom, and Smart City Telecom will be using interstate high-cost universal service support in 2006 in a manner that complies with Section 254(e) of the federal Telecommunications Act of 1996. It is further

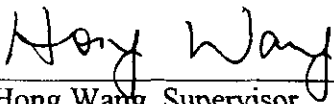
ORDERED that we hereby adopt the new high-cost annual certification and reporting requirements established in Order No. FCC 05-46 for all Florida Commission-designated ETCs desiring high cost support, as specifically clarified in the body of this Order. It is further

ORDERED that this Docket shall remain open.

By ORDER of the Florida Public Service Commission this 15th day of August, 2005.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By:



Hong Wang, Supervisor
Case Management Review Section

(S E A L)

BK

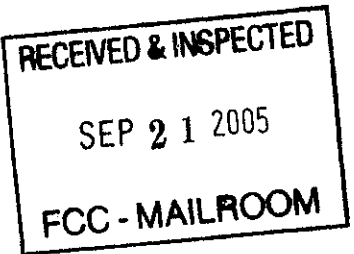
NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or
- 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

BEFORE THE PUBLIC SERVICE COMMISSION



In re: State certification of rural telecommunications carriers pursuant to 47 C.F.R. 54.314. DOCKET NO. 010977-TL
ORDER NO. PSC-05-0824A-FOF-TL
ISSUED: August 17, 2005

AMENDATORY ORDER

BY THE COMMISSION:

By Order No. PSC-05-0824-FOF-TL, issued August 15, 2005, this Commission certified to the FCC that ALLTEL Florida, Inc., Frontier Communications of the South, Inc., GTC, Inc., ITS Telecommunications Systems, Inc., Northeast Florida Telephone Company, Inc., d/b/a NEFCOM Communications, TDS Telecom, and Smart City Telecom will be using interstate high-cost universal service support in 2006 in a manner that complies with Section 254(e) of the federal Telecommunications Act of 1996. The Order, at page 3, specifically referenced Attachments A through G, which contained the affidavits filed by the companies in this proceeding. However, due to a scrivener's error, Attachments A through G were not actually attached to the Order. Therefore, this Amendatory is issued to include the omitted Attachments A through G.

It is therefore

ORDERED by the Florida Public Service Commission that Order No. PSC-05-0824-FOF-TL is amended to include Attachments A through G, which are attached to this amendatory Order. It is further

ORDERED that Order No. PSC-05-0824-FOF-TL is reaffirmed in all other respects.

By ORDER of the Florida Public Service Commission this 17th day of August, 2005.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By:

Kay Flynn
Kay Flynn, Chief
Bureau of Records

(SEAL)

BK

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FPSC-COMMISSION CLERK

AFFIDAVIT

STATE OF ARKANSAS
COUNTY OF PULASKI

BEFORE ME, the undersigned authority, appeared Steve R. Mowery, who deposed and said:

1. My name is Steve R. Mowery. I am Vice President of ALLTEL Communications, Inc. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314.
2. ALLTEL Communications, Inc. hereby certifies that it will only use the federal high-cost support it receives during 2006 for the provision, maintenance and upgrading of facilities and service for which such support is intended as indicated by 47 C.F.R. §54.101.

FURTHER AFFIANT SAYETH NOT.

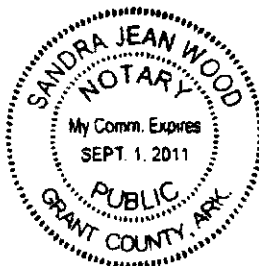
Steve R. Mowery
Steve R. Mowery, Vice President

STATE OF ARKANSAS
COUNTY OF PULASKI

Acknowledged before me this 3rd day of March, 2005 by Steve R. Mowery, as Vice President of ALLTEL Communications, Inc. who is personally known to me or produced identification and who did take an oath.

Sandra Jean Wood
NOTARY PUBLIC

Sandra Jean Wood
Printed Name of Notary



Personally Known ✓
Produced Identification _____
Type of Identification _____

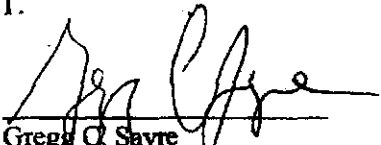
AFFIDAVIT

STATE OF NEW YORK
COUNTY OF MONROE

BEFORE ME, the undersigned authority, appeared Gregg C. Sayre, who deposed and said:



1. My name is Gregg C. Sayre. I am employed by Frontier Communications of the South, LLC ("Frontier" or the "Company") as Associate General Counsel. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314. Please refer to Docket No. 010977-TL.
2. Frontier hereby certifies that it will only use the federal high-cost support it receives during 2006 for the provision, maintenance and upgrading of facilities and service for which such support is intended.

FURTHER AFFIANT SAYETH NOT.


Gregg C. Sayre
Associate General Counsel
Frontier Communications of the South, LLC

STATE OF NEW YORK
COUNTY OF MONROE

Acknowledged before me this 10th of March 2005, by Gregg C. Sayre, as Associate General Counsel of Frontier Communications of the South, LLC, who is personally known to me or produced identification and who did take an oath.


NOTARY PUBLIC

Printed Name of Notary

Personally Known ☒
Produced Identification ☒
Type of Identification Produced Company ID - photo

KAREN J. CRONK
Notary Public, State of New York
No. 01CR4991094
Qualified in Monroe County
Commission Expires 1/21/2006

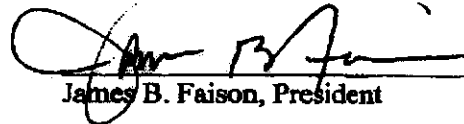
AFFIDAVIT

STATE OF FLORIDA
COUNTY OF GULF

BEFORE ME, the undersigned authority, appeared James B. Faison, who deposed and said:

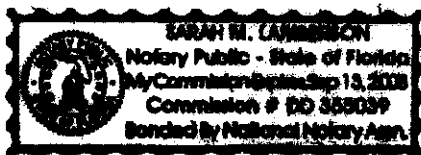
1. My name is James B. Faison. I am employed by GTC, Inc. d/b/a GT Com ("GT Com" or the "Company") as its President. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314.
2. GT Com hereby certifies that it will only use the federal high-cost support it receives during 2006 for the provision, maintenance and upgrading of facilities and service for which such support is intended.


FURTHER AFFIANT SAYETH NOT.


James B. Faison, President

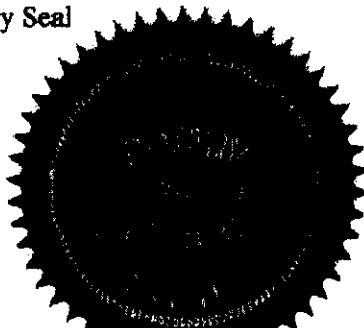
STATE OF FLORIDA
COUNTY OF GULF

Acknowledged before me this 25th day of February, 2005, by James B. Faison, as President of GTC, Inc., who is personally known and who did take an oath.




Notary Public
Sarah M. Lamberson

Notary Seal



AFFIDAVIT

STATE OF FLORIDA
COUNTY OF MARTIN

BEFORE ME, the undersigned authority, appeared Jeffrey S. Leslie, who deposed and said:

1. My name is Jeffrey S. Leslie. I am employed by Indiantown Telephone Systems, Inc. ("ITS" or the "Company") as Vice President, Chief Financial Officer. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314.

2. ITS hereby certifies that it will only use the federal high-cost support it receives during 2006 for the provision, maintenance and upgrading of facilities and service for which such support is intended.

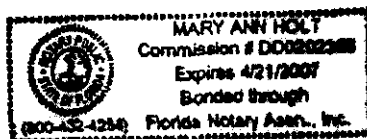
FURTHER AFFIANT SAYETH NOT.




Jeffrey S. Leslie
Vice President, Chief Financial Officer
ITS Telecommunications Systems, Inc.

STATE OF FLORIDA
COUNTY OF MARTIN

Acknowledged before me this 25th day of February, 2005, by Jeffrey S. Leslie, as Vice President, Chief Financial Officer of ITS Telecommunications Systems, Inc., who is personally known to me or ~~produced identification~~ and who did take an oath.





NOTARY PUBLIC
Mary Ann Holt
Printed Name of Notary

Personally Known ✓
Produced Identification _____
Type of Identification Produced _____

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF CLAY

BEFORE ME, the undersigned authority, appeared Deborah Nobles, who deposed and said:

1. My name is Deborah Nobles. I am employed by Northeast Florida Telephone Company, Inc. ("Northeast" or the "Company") as its Vice President of Regulatory Affairs. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314.

2. Northeast hereby certifies that it will only use the federal high-cost support it receives during 2006 for the provision, maintenance and upgrading of facilities and services for which such support is intended.


FURTHER AFFIANT SAYETH NOT.


Deborah Nobles, Vice President of
Regulatory Affairs

STATE OF FLORIDA
COUNTY OF CLAY

Acknowledged before me this 2nd day of March, 2005, by Deborah Nobles, as Vice President of Northeast Florida Telephone Company, Inc., who is personally known to me or produced identification and who did take an oath.




NOTARY PUBLIC
Kim Jackson

Personally Known ☒
Produced Identification _____
Type of Identification Produced _____

DOCKET NO. 010977-TL

AFFIDAVIT

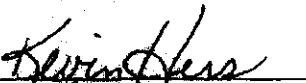
STATE OF WISCONSIN
COUNTY OF DANE

BEFORE ME, the undersigned authority, appeared Kevin Hess who deposed and said:

1. My name is Kevin Hess. I am employed by TDS Telecom, the parent company of Quincy Telephone Company d/b/a TDS Telecom/Quincy ("TDS" or the "Company") as its Vice President, Federal Affairs. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314.

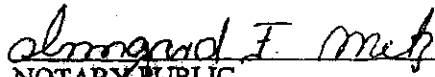
2. TDS Telecom hereby certifies that it will only use the federal high-cost support it receives during 2006 for the provision, maintenance and upgrading of facilities and service for which such support is intended.

FURTHER AFFIANT SAYETH NOT.


Kevin Hess
Vice President, Federal Affairs

STATE OF WISCONSIN
COUNTY OF DANE

Acknowledged before me this 9th day of March, 2005, by Kevin Hess, as Vice President, Federal Affairs of TDS TELECOM d/b/a TDS TELECOM/Quincy Telephone, who is personally known to me or produced identification and who did take an oath.


NOTARY PUBLIC

IRMGARD F. METZ
Printed Name of Notary

Personally Known X
Produced Identification _____
Type of Identification Produced _____

ORDER NO. PSC-05-0824A-FOF-TL

AFFIDAVIT

Attachment G

DOCKET NO. 010977-TL

PAGE 8

STATE OF FLORIDA
COUNTY OF ORANGE

BEFORE ME, the undersigned authority, appeared James T. Schumacher, who deposed
and said:

1. My name is James T. Schumacher. I am employed by Smart City Telecommunications LLC d/b/a Smart City Telecom ("Smart City" or the "Company") as its Vice-President - Finance and Administration. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314.

2. Smart City hereby certifies that it will only use the federal high-cost support it receives during 2006 for the provision, maintenance and upgrading of facilities and service for which such support is intended.

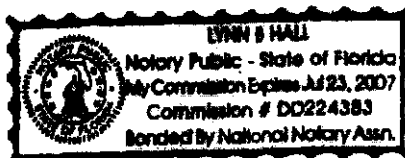
FURTHER AFFIANT SAYETH NOT.



James T. Schumacher, Vice-President -
Finance and Administration

STATE OF FLORIDA
COUNTY OF ORANGE

Subscribed and sworn to before me this 14th day of March, 2005, by James T. Schumacher, as Vice-President - Finance and Administration of Smart City Telecommunications LLC d/b/a Smart City Telecom, who is personally known to me or produced identification and who did take an oath.




NOTARY PUBLIC

LYNN B. HALL
Printed Name of Notary

Personally Known X
Produced Identification _____
Type of Identification Produced _____